

Order

**Michigan Supreme Court
Lansing, Michigan**

January 29, 2021

Bridget M. McCormack,
Chief Justice

161628
161650

Brian K. Zahra
David F. Viviano
Richard H. Bernstein
Elizabeth T. Clement
Megan K. Cavanagh
Elizabeth M. Welch,
Justices

MECOSTA COUNTY MEDICAL CENTER,
d/b/a SPECTRUM HEALTH BIG RAPIDS,
SPECTRUM HEALTH HOSPITALS,
SPECTRUM HEALTH PRIMARY CARE
PARTNERS, d/b/a SPECTRUM HEALTH
MEDICAL GROUP, MARY FREE BED
REHABILITATION HOSPITAL, and
MARY FREE BED MEDICAL GROUP,
Plaintiffs-Appellees,

v

SC: 161628
COA: 345868
Kent CC: 17-007407-NF

METROPOLITAN GROUP PROPERTY AND
CASUALTY INSURANCE COMPANY,
Defendant-Appellant,

and

STATE FARM MUTUAL AUTOMOBILE
INSURANCE COMPANY,
Defendant-Appellee.

MECOSTA COUNTY MEDICAL CENTER,
d/b/a SPECTRUM HEALTH BIG RAPIDS,
SPECTRUM HEALTH HOSPITALS,
SPECTRUM HEALTH PRIMARY CARE
PARTNERS, d/b/a SPECTRUM HEALTH
MEDICAL GROUP, MARY FREE BED
REHABILITATION HOSPITAL, and
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METROPOLITAN GROUP PROPERTY AND

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Defendant-Appellee,

and

STATE FARM MUTUAL AUTOMOBILE
INSURANCE COMPANY,
Defendant-Appellant.

On order of the Court, the applications for leave to appeal the March 24, 2020 judgment of the Court of Appeals are considered. We direct the Clerk to schedule oral argument on the applications. MCR 7.305(H)(1).

The appellants shall file a supplemental brief within 42 days of the date of this order addressing whether the appellees' claims for no-fault personal protection insurance benefits are barred by (1) res judicata or (2) collateral estoppel. See *Adair v Michigan*, 470 Mich 105, 121 (2004); *Monat v State Farm Ins Co*, 469 Mich 679, 682-684 & n 2 (2004). In addition to the brief, the appellants shall electronically file an appendix conforming to MCR 7.312(D)(2). In the brief, citations to the record must provide the appendix page numbers as required by MCR 7.312(B)(1). The appellees shall file a supplemental brief within 21 days of being served with the appellants' briefs. The appellees shall also electronically file an appendix, or in the alternative, stipulate to the use of the appendix filed by the appellants. Replies, if any, must be filed by the appellants within 14 days of being served with the appellees' briefs. The parties should not submit mere restatements of their application papers.

The total time allowed for oral argument shall be 40 minutes: 20 minutes for the defendants to be divided at their discretion and 20 minutes for the plaintiffs to be divided at their discretion. MCR 7.314(B)(2).

Persons or groups interested in the determination of the issues presented in this case may move the Court for permission to file briefs amicus curiae. Motions for permission to file briefs amicus curiae and briefs amicus curiae regarding these cases should be filed in *Mecosta Co Med Ctr v Metro Group Prop & Cas Ins Co*, Docket No. 161628, only and served on the parties in both cases.



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I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

January 29, 2021

Clerk